NOMINATIONS OF FOWLER C. WEST AND ORVILLE G. BENTLEY

HEARING

BEFORE THE

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY UNITED STATES SENATE

NINETY-SEVENTH CONGRESS

SECOND SESSION

ON

THE NOMINATIONS OF FOWLER C. WEST, OF TEXAS, TO BE A COMMISSIONER OF THE COMMODITY FUTURES TRADING COMMISSION, AND ORVILLE G. BENTLEY, OF ILLINOIS, TO BE AN ASSISTANT SECRETARY OF AGRICULTURE

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NOMINATIONS OF FOWLER C. WEST AND ORVILLE G. BENTLEY

WEDNESDAY, SEPTEMBER 29, 1982

U.S. SENATE,
COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY,
Washington, D.C.

The committee met, pursuant to notice, at 10:04 a.m., in room 324, Russell Senate Office Building, Hon. Jesse Helms (chairman of the committee) presiding.

Present: Senators Helms, Hayakawa, and Jepsen.

STATEMENT OF HON. JESSE HELMS, A U.S. SENATOR FROM NORTH CAROLINA

The CHAIRMAN. The committee will come to order, please.

The committee meets today to receive testimony on the nomination of Fowler C. West to be a Commissioner on the Commodity Futures Trading Commission and Orville G. Bentley to serve as Assistant Secretary for Science and Education of the U.S. Department of Agriculture.

I believe both nominees have been in contact with the offices of members of the committee and additional background material is before each Senator.

Just a few words about the nominees. I believe all of us are acquainted with Fowler West. He served as staff director of the House Agriculture Committee for many years and was involved in drafting the law which established the CFTC.

Speaking on his behalf today, we are honored to have Senator Tower, Congressman Foley, Congressman Wampler, and Congressman Leath.

The 1981 farm bill created the new position of Assistant Secretary for Science and Education at USDA. The Congress, in establishing this position, desired to emphasize the need for continuing advances in agricultural research, teaching, and extension programs.

In nominating Orville G. Bentley, the President has selected a man well qualified for these responsibilities. Mr. Bentley currently serves as dean of the College of Agriculture at the University of Illinois at Champaign-Urbana, and by the way, I was in Urbana a couple years ago, Chuck, and what a place.

He has received numerous honors and awards and is a member of several professional societies. Senator Percy is here and I believe Senator Dixon will be along shortly and will introduce Mr. Bentley.

I am grateful that so many of our distinguished colleagues are here so why do we not in the interest of time, Senators, proceed and let the introductions be made. I know each of you has other responsibilities.

Senator Percy, we welcome you, and you are recognized, sir.

STATEMENT OF HON. CHARLES H. PERCY, A U.S. SENATOR FROM ILLINOIS

Senator PERCY. Thank you, Mr. Chairman. I certainly wish to commend the Department of Agriculture, the administration, and this committee for its role in creating the very important job of Assistant Secretary for Science and Education, because, after all, that is looking to the future of agriculture, and that is what we should be concentrating upon.

I appreciate the chance to appear once again before this committee to introduce another distinguished Illinoisan to this committee. I will be applying for ex officio or honorary membership on the committee if I appear before the chairman many more times this year.

But in this regard, I am particularly pleased that Congressman Dan Crane, who has done an outstanding job in the field of agriculture and every other field as a Congressman, is here today with me, he has one of the truly great universities in his district.

The President has nominated Dean Bentley for Assistant Secretary of Agriculture for Science and Education which is most appropriate because he is clearly and literally a man who has spent his entire adult life devoting himself to the fields of science and education.

Those of us in Illinois, including a distinguished member of this committee, Alan Dixon, who I am sure will be along in a few moments, who has known Orville Bentley, have known him to serve the University of Illinois as dean of the College of Agriculture and do a really remarkable job there.

He is a nationally respected biochemist. His resume runs to 10 pages, and I will assume it will just be a matter of record, and I will not have to duplicate what is contained in those 10 pages.

But it is one of the most striking biographies of anyone I have ever seen in the field of agriculture, and as long as I have known him, I did not know all of those accomplishments that he has managed to do in his spare time.

I am sure that, as you study this, you will see that the President and Secretary Block have made an outstanding choice.

The record will show that here is a truly dynamic and accomplished individual, and it is personally gratifying to know that Orville Bentley is really willing to serve his country, his President, and the Department of Agriculture in this capacity.

Three years ago I had the pleasure and honor of being with Dean Bentley in Urbana-Champaign, Ill., to break ground on one of the facilities that was designed to be part of what the university is calling the Century III project.

This project under Orville Bentley's direction, is designed to provide agricultural research and advanced technology for future food

production. At the time, I felt the Century III program embodies everything I knew about Dean Bentley.

He is always thinking about the future. How are we going to feed the world's future generations? I think we would all agree that this is a topic worthy of our great educational institutions, particularly those with reputations like the School of Agriculture at the University of Illinois.

Orv Bentley accepted that challenge, began laying the groundwork for the kind of orderly applied research and development that will prove fruitful, and will provide for the future food and fiber needs of this Nation and the world.

Mr. Chairman, no one knows better than you and the members of this committee the tremendous strains under which American agriculture now operates. You have done a tremendous amount to relieve those pressures, and I do feel that you can stand on that record of what has been accomplished and what has been done by this committee.

I just left a meeting of Midwestern legislators, all of us concerned about the farm economy and what can be done to improve it. We need thinking men and women like Dean Bentley on the job coming up with solutions to these problems.

I strongly recommend him to this committee and thank you very much indeed for inviting me to be here to present him to you.

The CHAIRMAN. It was an excellent presentation. I know you appreciate it, Dean.

Dr. BENTLEY. Yes, very much.

The CHAIRMAN. Next on the list is Congressman Crane.

STATEMENT OF HON. DANIEL B. CRANE, REPRESENTATIVE IN CONGRESS FROM THE 22D DISTRICT OF ILLINOIS

Mr. CRANE. Thank you, Mr. Chairman.

I, too, want to compliment the Department of Agriculture for selecting such a fine gentleman. It is certainly an honor to have the opportunity to present to this committee one of the outstanding figures in agriculture in this generation, and I do not use these words lightly.

Dr. Bentley, dean of the University of Illinois College of Agriculture since 1965 achieved what few in any field have, the profound respect and admiration of his professional colleagues, and I think this in itself speaks for this gentleman.

Apart from his duties at the University of Illinois, Dean Bentley serves on many school committees as well as numerous State and national committees. In 1976, he was named by President Gerald Ford to a 3-year term on the Board of International Food and Agricultural Development.

Dean Bentley has traveled throughout the world as an advisor and consultant on agriculture. He is a recipient of the American Feed Manufacturers award for his original research in livestock nutrition, the Distinguished Alumnus Award from South Dakota State University, an Honorary Doctor of Science Degree from that institution.

Dean Bentley was the first president of the American Society of Animal Scientists. Mr. Chairman, as you know, introducing a man

of Dean Bentley's stature is a formidable assignment. If I were to review for you all his professional and personal honors, our stenographers would tire long before I was finished.

Rarely are the American people offered a man of the background and sterling character of this nominee. I commend to you with the highest possible recommendation Dean Orville Bentley for the position of Assistant Secretary for Science and Education and urge his speedy confirmation.

I think the immortal words of John F. Kennedy best describe this gentleman. "Think not what your country can do for you, but what you can do for your country." And I think these are living proof of this fine gentleman's character.

The CHAIRMAN. Dean, did it ever occur to you you better quit while you are ahead?

Dr. BENTLEY. Yes, it did. [Laughter.]

The CHAIRMAN. Senator Tower, we welcome you to this committee.

STATEMENT OF HON. JOHN TOWER, A U.S. SENATOR FROM TEXAS

Senator TOWER. Thank you very much, Mr. Chairman. It is a pleasure to appear before your committee and to present to the committee for consideration Fowler West, who has been nominated by the President for the post of Commissioner of the Commodity Futures Trading Commission.

The Commodity Futures Trading Commission which was established in 1974 is at a critical point, and Fowler West will, I am confident, bring balance, commonsense and a broad understanding of the Commission's role to this job should he be confirmed by the Senate.

Many members of this committee are already acquainted with Fowler since he served as staff director of the House Committee on Agriculture. During his tenure with that committee over almost 10 years, he has had the opportunity to assist in the consideration of major legislation which has shaped in great part the agricultural policies of this country.

Of particular note is the fact that Fowler played a significant role in drafting and consideration of the legislation which established the CFTC as an independent agency to oversee the commodities industry.

Although many here know Fowler's work on Capitol Hill, I would also like the record to reflect the fact that Fowler is a native Texan who graduated from Baylor University in Waco, Tex. That is, of course, the premier educational institution of the Southern Baptist Church, and if you do not believe it, you just ask anybody from Baylor. [Laughter.]

The CHAIRMAN. Stay away from Wake Forest. [Laughter.]

Senator TOWER. He came to Washington to serve as a member of the staff of one of the most distinguished members of our Texas delegation to Congress, the former chairman of the House Agriculture Committee, an outstanding member for 42 years, our old friend, Bob Poage.

After his first stint with the House Agriculture Committee Fowler returned to Congressman Poage's personal staff as his administrative assistant. From 1971 to 1973, Fowler was a staff consultant to the House Ag Committee and appointed staff director in 1973.

He completed his master's degree in legislative affairs at George Washington University in 1980.

In addition to his professional activities, Fowler has served as president of the Congressional Staff Club, an organization which has over 3,000 members, and he is a recipient of the Congressional Staffer of the Year Award in 1977, presented by the Roll Call newspaper.

Fowler is married to the former Ann Smith Paine of Georgia. Ann, are you here? Would you stand? There she is. And he has two children, Fowler, Jr., and Mitchell Paine.

Mr. Chairman, I think the nomination of Fowler West signifies a commitment of this administration to secure the services of one of the most able and qualified individuals to be found in our country to this important position, and I would recommend his nomination to you without reservation, and would like, at this point, to yield to my distinguished colleague, the Congressman from his district who succeeded Bob Poage, Marvin Leath.

The CHAIRMAN. Marv, we are delighted to have you.

STATEMENT OF HON. J. MARVIN LEATH, REPRESENTATIVE IN CONGRESS FROM THE 11TH DISTRICT OF TEXAS

Mr. LEATH. Thank you, Senator Tower, and Mr. Chairman, thank you.

It is indeed a pleasure and privilege for me to appear before your committee today on behalf of Fowler West. Not only is Fowler a lifelong constituent of the 11th District of Texas but he is also a good close personal friend of many years.

As Senator Tower said Fowler first came to Washington in 1963 to work on the staff of my predecessor, the Honorable Bob Poage, and as all of you know, Congressman Poage served as chairman of the House Agriculture Committee for many years, and he asked me today to convey his enthusiastic endorsement to Fowler's confirmation.

In 1973, Fowler became the staff director of that committee and since has served under two other chairmen. In 1972, I took a leave from my private business and joined Mr. Poage's staff and developed a close working relationship with Fowler.

After my 2 years with Mr. Poage were up and I returned to the private sector, I remained in close contact with Fowler and thus am very much aware of the outstanding job that he has continued to do here on Capitol Hill.

He is a gentleman, Mr. Chairman, in every respect. Extremely loyal to those he serves and a truly dedicated servant of this Nation.

Fowler is particularly well-suited, I think, to serve on the Commodity Futures Trading Commission. He grew up in a farming area and his years of working with the committee has given him a

rare and sensitive insight into all of the intricacies of agriculture and of legislation that is so very vital to our economy.

That legislation, of course, included amendments to the CFTC legislation in 1974, 1975, 1978, and in 1982. As you are aware, Mr. Chairman, the support for the nomination of Fowler West comes from members of both political parties.

I think this is a tremendous testimony to the reputation of fairness and respect that Fowler has built through the years. Mr. Chairman, I believe that the Commodities Futures Trading Commission will be well-served by the confirmation of Fowler West, and I want to thank you, Mr. Chairman, for your prompt and speedy consideration of this matter as it has come to you.

The CHAIRMAN. Thank you very much.

Fowler, we are all very proud of you, particularly those of us who have been privileged to work with you directly or indirectly. But let me present the best recommendation for Fowler West, Mrs. West. Where is she? Would you stand up? And I believe your mother-in-law is here. We are delighted to have you. Thank you. You are not his mother-in-law? You are too young.

Also, I note several familiar faces of Fowler's associates in the audience. Everybody who has worked with Fowler who is in the audience would you stand up, from the House side. That speaks well of you.

Mr. WEST. It does, Senator. Thank you.

The CHAIRMAN. Anybody have anything else?

Senator JEPSEN. Mr. Chairman?

The CHAIRMAN. Senator Jepsen?

STATEMENT OF HON. ROGER W. JEPSEN, A U.S. SENATOR FROM IOWA

Senator JEPSEN. Mr. Chairman, professional staff members of the Senate and the House are the backbone of the legislative process. They provide the necessary expertise, the research, the analysis for which we, as legislators, base most of our decisions.

For the most part, they provide balanced and objective data. How we vote is up to us, of course. But it enhances their reputation when one moves into a position of national importance, and for this reason, I am pleased to support the nomination of Fowler West to be a Commissioner of the Commodity Futures Trading Commission.

He is not of my political persuasion, Mr. Chairman, but nonetheless, I know for a fact that without fear or favor Fowler West provided assistance to members of both parties during his tenure as staff director of the House Committee on Agriculture.

When it comes to the well-being of American agriculture, partisan politics should end at the water's edge, and Fowler West has demonstrated that. As a staff person, Fowler has worked and been part of major farm legislation, as was mentioned previously this morning, including the Farm Credit Act of 1981, the Rural Telephone Bank Act of 1971, the Rural Development Act of 1972, and the Commodities Futures Trading Commission Act of 1974 and 1978.

I feel Fowler West is qualified for the position of Commissioner, and he has my endorsement and he has my vote.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator.

Let me say to you, Senator Tower and Congressman Leath, we would be delighted for you to stay as long as you wish, but I know that the nominees will understand and certainly we will if you feel that at any time you wish to leave.

Senator TOWER. Unfortunately, I must go, Mr. Chairman. I would stay if I thought that Fowler would have any difficulty in responding to any questions, but I am sure that he will not. As a matter of fact, I could take a tutorial from him on virtually every subject he might address today.

So with that confidence, I will depart and leave you, Fowler, to the tender mercies of one of the kindest committee chairman on the Hill, Jesse Helms.

The CHAIRMAN. You said that just like I wrote it, John.

We are delighted to have both of you.

The committee has received statements in support of Mr. West's nomination from the National Pork Producers Council, the American Cotton Shippers Council, the National Cattlemen's Association, and from Senator Bentsen, all of which will, without objection, be entered into the record.[1]

Now, let me do a little housekeeping. We have a question or two to ask each of you, and I think I know what the answer will be, but for the record, I would ask each of you:

If your nomination is approved and reported by this committee and confirmed by the Senate, do you promise to respond to requests to appear and testify before this committee or any other duly constituted committee of the Senate?

Dr. BENTLEY. Yes.

Mr. WEST. Yes.

The CHAIRMAN. Let the record show that both responded in the affirmative.

If you are confirmed by the Senate, do you promise to faithfully execute the laws passed by Congress regardless of any previous statements you may have made or biases you may have held?

Dr. BENTLEY. Yes, sir.

Mr. WEST. Yes, sir.

The CHAIRMAN. Let the record show that that question was responded to in the affirmative.

Congressman Foley, we are delighted to have you, sir. We welcome your statement.

Mr. FOLEY. Thank you, Mr. Chairman. I regret being late.

The CHAIRMAN. Congressman Wampler, come up, too.

We welcome you.

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[1] See p. 44 for the statement of the National Pork Producers Council; p. 44 for the statement of the American Cotton Shippers Council; p. 45 for the statement of the National Cattlemen's Association; and p. 16 for the prepared statement of Senator Bentsen.

STATEMENT OF HON. THOMAS S. FOLEY, REPRESENTATIVE IN CONGRESS FROM THE FIFTH DISTRICT OF WASHINGTON

Mr. FOLEY. Mr. Chairman, I want to apologize to the committee for being late. Bill Wampler and I come here today, I know, on the same mission, to express our very strong support of Fowler West in the appointment that President Reagan has honored him with to be a member of the Commodity Futures Trading Commission.

I am not going to delay the committee a long time. I would just ask permission to have a statement included in the record,[1] but briefly, I wish I could claim personally that I was the first one to discover Fowler West's abilities and to employ them in the service of the House Agriculture Committee, but that distinction belongs to my predecessor and my former colleague Bob Poage of Texas.

When I became chairman of the committee, I prevailed upon Fowler to stay on as the staff director of the committee. He did an outstanding job. It was just an absolutely superb job and provided me with the same kind of support and the committee with the same kind of support that he had provided when he served under Bob Poage.

He is knowledgeable in the legislative process as anybody could be and he brings to his new appointment the kind of administrative skill, knowledge of the legislative process and specific knowledge of this particular field of commodities regulation that is unexcelled, in my judgment, and I unreservedly urge the committee to extend to him really unanimous support and confirmation.

The CHAIRMAN. Thank you, Congressman Foley.

Congressman Wampler?

STATEMENT OF HON. WILLIAM C. WAMPLER, REPRESENTATIVE IN CONGRESS FROM THE NINTH DISTRICT OF VIRGINIA

Mr. WAMPLER. Thank you, Mr. Chairman. I, too, want to apologize for being tardy. I hope you can understand and appreciate that the House is quite busy as I know the Senate is.

Really, I am here in a dual role, Mr. Chairman, if I may, not knowing exactly what order in which you are considering the two nominations, I would like to make a brief statement on behalf of Fowler West and also Dr. Bentley, since I am interested in both of their nominations, if I may, and I would ask unanimous consent that I be permitted to file a statement on behalf of each.[2]

The CHAIRMAN. Without objection, we would be delighted to receive those.

Mr. WAMPLER. If I may very briefly, I would first speak on behalf of the nomination of Dr. Bentley to be Assistant Secretary for Science and Education of the Department of Agriculture.

As you know, Mr. Chairman, I have had more than a passing interest in the establishment of this new position. It was mandated by title XIV of the 1981 farm bill, and I know that the President and the Secretary of Agriculture searched far and wide for a person to fill this position, and I think they have made an excellent choice.

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[1] See p. 34 for the prepared statement of Representative Foley.

[2] See p. 34 for the prepared statement of Representative Wampler concerning the nomination of Mr. West and p. 17 for his statement on the nomination of Dr. Bentley.

I have had the pleasure of knowing Dr. Bentley and working with him and he shared his views with me, and I know of no one that has a broader background to fill this very important position, because being the first person in this important position, he is going to establish a lot of precedents, and we know they are going to be good precedents.

We are looking to him to be our advocate in the Department and particularly with the Office of Management and Budget as we try to get funds allocated for these vital functions of research, extension, teaching, or education.

I am confident that he is eminently qualified to fill this position, and I trust that the committee will see fit to act favorably and that, indeed, the entire Senate will confirm him forthwith.

The other nomination, of course, is a personal friend, Fowler West, to be Commissioner of the Commodity Futures Trading Commission. I want to concur in what the distinguished gentleman from Washington, Mr. Foley, had to say about Fowler.

I had the pleasure of serving as the ranking minority member on the House Committee on Agriculture during the tenure of Congressman Foley as chairman. We both leaned very heavily on Fowler West from time to time since he was our staff director.

But let me say for the record, Senator Helms, that I think in the House, of all the committees that function there, the House Committee on Agriculture probably is the least partisan, and this is not to suggest that we do not have our differences. We do differ philosophically and differ with how we treat the various commodities and our total responsibilities.

But Fowler West, I think, carried on in the great tradition in our committee of being fair not only to the majority but to the minority, and I think he is eminently qualified to fill this position.

He was there during the time that we enacted the authorization legislation. He is familiar with the thrust of the legislation. I think he possesses the intellect, the sense of fair play that will make him a great commissioner, and I think he can bring to the Commission a wide background of experience. It is with a great deal of personal pleasure that I commend him to you in the strongest possible terms.

The CHAIRMAN. Thank you, Bill.

Let me say for the record that we are honored by the presence of two Members of the House with whom I worked closely in various conferences. Not only are they gentlemen, they are two of the most intelligent Members of Congress with respect to agriculture and other matters.

I want to thank both of you for the presentation.

Mr. FOLEY. I hope you will not strike that from the record later. [Laugther.]

The CHAIRMAN. There have been many times when we have had a difficult situation in conference, and Tom Foley and Bill Wampler have come to the rescue, and I want to express my gratitude to both of you publicly.

Now, the able Senator from Illinois is recognized, and I would ask that the record show that his comments follow those of the senior Senator from Illinois, Mr. Percy.

STATEMENT OF HON. ALAN J. DIXON, A U.S. SENATOR FROM ILLINOIS

Senator DIXON. Mr. Chairman, I appreciate that very much. I am delighted to be in such distinguished company, and may I say I recognize that we are in the process of a rollcall over on the floor right now.

My good friend, Dean Bentley, I am sure will understand my high regard for him cannot be elaborated upon more extensively by reading a long set of remarks. So if the chair will indulge me, I will simply place in the record my enthusiastic endorsement of Dean Orville Bentley who has been nominated for the position of Assistant Secretary of Agriculture for Science and Education, and apologize to him for the fact that the time constraints prevent me from reading all the wonderful things I already know about him.[1]

The CHAIRMAN. Well, we will meet out in the hall and you can read them to me. [Laughter.]

If the two nominees and our guests will forgive us, let us go over and strike a blow for liberty or something, and we will come right back. We have a rollcall vote. The vote is on the termination, the proposal to terminate the funds for Clinch River. So you may want to drag your feet in getting over there.

The committee will stand in recess for a short time.

[Whereupon, a short recess was taken.]

The CHAIRMAN. The committee will come to order.

And the Chair will repress its regrets and apologies for the delay. We had a one-vote margin vote in the Senate on the Clinch River, and it was not the most enthusiastic vote that a lot of Senators cast. I am glad we got that one behind us.

I would first ask if either or both of the nominees have statements. If so, you may wish to put them in the record and summarize or whatever you wish to do.

Dean Bentley?

STATEMENT OF ORVILLE G. BENTLEY, ASSISTANT SECRETARY FOR SCIENCE AND EDUCATION, U.S. DEPARTMENT OF AGRICULTURE—DESIGNATE

Dr. BENTLEY. Mr. Chairman, I thank you for the opportunity to respond.[2] Let me briefly first say that I am honored to be asked to assume this position and will try to bring to it something from my past experience but also respond to the opportunities for strengthening research and extension and teaching programs in agriculture and the agricultural sciences.

I think it is a very important responsibility on the part of our country as a whole, and I think it deals with the issue of our stability as a country and our position in the world. Therefore, I have been strongly motivated over many years to work in this area, and I hope that I can do so as a member of the administration.

I also want to place in the record my appreciation for the fine comments that came from Senators Percy and Dixon, Congressman

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[1] See p. 16 for the prepared statement of Senator Dixon.
[2] See p. 21 for material concerning the nomination of Mr. Bentley.

Crane and Congressman Wampler. I am honored to have these gentlemen come here to speak in my behalf.

I do not want to extend my comments other than to say that I look forward to working with the members of the system. This includes the Department, of course, the land-grant universities and other universities involved in research and extension work that make up the rather unique system we have in the United States and one I think that has been eminently successful.

I am also cognizant and very much aware of the fact that this is a team effort that involves not only the system itself but the Congress and members of the administration as we look at problems and try to find answers and plan for the future.

Finally, I want to say, as I believe Senator Percy mentioned, the matter of research and education has a high degree of forward planning and projections for the future and much of what we need to do and think about has to do with being sure we make decisions now that will serve us well in the decades ahead. I know many people share that concern and I look forward to participating in these decisions.

I will be glad to answer any questions, but I wanted to close my few comments by expressing appreciation to you, Senator Helms, for getting the hearing process going and reviewing the nomination at this time because it will mean a great deal to me if it can be moved along with a decision reached one way or the other.

The CHAIRMAN. We will do the best we can to expedite it.

Mr. West?

STATEMENT OF FOWLER C. WEST, COMMISSIONER, COMMODITY FUTURES TRADING COMMISSION—DESIGNATE

Mr. WEST. Senator, I want to express my appreciation to you for having this meeting. I know how busy the Senate is in the closing days of the Congress. I am most grateful to the President for sending my name here to the Senate.

I do have an agricultural background. I grew up in the rural area of central Texas near Waco, and I spent many, many days working in cotton fields and hauling hay. I had a firsthand knowledge of the same problems that plague the farmers now. Later, I had the honor of meeting Mr. Poage and coming to Washington with him and serving under Mr. Poage when he was chairman of the committee and before that under the late Harold D. Cooley of North Carolina. I admired and respected him a great deal. Of course, I served later under Mr. Foley and Chairman de la Garza.

Should the Senate confirm me, I will look forward to working on the Commission and concentrating my efforts, as much as I can, on trying to do something to help farmers by increasing futures educational programs. Farmers and agribusiness in general need to learn more about the futures markets, because I think they can be helpful.

Thank you.

The CHAIRMAN. Let me say to both of you, and I say this with all sincerity, it is seldom that two men of the impressive credentials that each of you has appear jointly for different positions. That makes this meeting almost pro forma.

I am going to turn over the gavel to Senator Hayakawa. I believe he has a statement, and I am going to file two or three written questions. If you could get those into us, they have nothing to do with whether the committee will report your nomination but just for the record. So you can give us a written answer as quickly as may be possible, and then we will proceed.

Can we get the papers ready, Mr. Dunlop, so that we can perhaps get the full committee forum off the floor?

Mr. DUNLOP. Yes, sir, in our normal procedure, we would probably do that tomorrow after the first vote tomorrow afternoon.

The CHAIRMAN. All right. Whatever, but let us expedite it and see if we cannot get these gentlemen formally on the job by the end of the week.

Senator Hayakawa, I have a meeting that I simply must go to. May I impose on you to preside? I think you have a statement that you wish to make, so I will turn the chair over to you.

You mentioned Harold Cooley, he was chairman of the House Agriculture Committee for a long time, and when he left Congress, North Carolina really lost a vital influence, because the chairmanship of the Agriculture Committee means a great deal to an agricultural State.

And in the events of 1980 when I woke up the day after the election and I realized I would probably be chairman of this committee, I began researching the records, and I discovered that I was the first North Carolinian to serve as chairman of this committee in 149 years so the wheel turns.

It has been a pleasure being with you gentlemen, and I wish you God speed, and I know you are motivated by the highest ideals, and I want to extend to both of you the full cooperation of this committee, and we will be in frequent contact with questions and suggestions, and we want that to be a two-way street, and if we can ever be helpful in any way, let us know.

Dr. BENTLEY. Thank you, Mr. Chairman.

Mr. WEST. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you.

And thank you, Senator Hayakawa, for your courtesy.

STATEMENT OF HON. S. I. HAYAKAWA, A U.S. SENATOR FROM CALIFORNIA

Senator HAYAKAWA. Thank you, Senator Helms.

Dean Bentley, Mr. West. I have an introductory statement for you, Dean Bentley, and I will simply put it into the record without reading it.[1] But I do want to say that I got my Ph. D. in English at the University of Wisconsin which has very little to do with the Agriculture Department.

But I did know that we had an agricultural extension service because I served in it. It was in this capacity that I began to realize what an agricultural extension service meant to the State of Wisconsin.

Later on, through my contact with consumer cooperatives, I made some acquaintances as well with producer cooperatives in the

[1] See p. 15 for the prepared statement of Senator Hayakawa.

Midwest. As a member of the Senate Agriculture Committee, I have learned about agricultural cooperatives elsewhere, and as a member of the Foreign Relations Committee, I have learned the enormous importance of agricultural extension and its services in underdeveloped countries in places like Zimbabwe, Botswana and so on, wherever there is underdeveloped agriculture.

But the whole idea that agriculture profits from extension services of one kind or another is something which should not be overlooked. I take great pleasure knowing that it contributes to the health and wealth of the world.

So I welcome you to this committee and to the position to which you have been appointed, Assistant Secretary of Agriculture for Science and Education.

Mr. West, I have questions for you, and in keeping with the chairman's suggestion, I will just leave these questions with you to be answered in writing.[1]

And I have a couple of questions for you, too, Dean Bentley. However, I will leave them with you, and will look forward to receiving your written responses.[1]

If both you will take care of those questions, there is no need to keep you any longer. Like Senator Helms, I have to be at another meeting. One of the peculiarities of this, the U.S. Senate, is that if you are lucky, you have to be in only two places at once. If you are unlucky, you have to be in three or four.

I have been lucky up to 11 today in that I only had to be at two places at once.

At this point, we have completed our business and can adjourn for now.

Mr. WEST. I will provide the answers to the questions as soon as possible.

Senator HAYAKAWA. Thank you.

The meeting is adjourned.

[Whereupon, at 11:14 a.m., the committee adjourned, subject to call of the Chair.]

COMMITTEE NOTE:

On Sept. 29, 1982, the Committee favorably reported the nominations of Messrs. Bentley and West.

On Oct. 1, 1982, Mr. West was confirmed by the Senate and on Dec. 8, 1982, Mr. Bentley was confirmed by the Senate.

[1] See p. 42 for the written questions from Senator Hayakawa and Mr. West's answers thereto, and p. 19 for a written question from Senator Hayakawa and Dr. Bentley's answer thereto.

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APPENDIX

STATEMENT OF HON. S. I. HAYAKAWA, A U.S. SENATOR FROM CALIFORNIA

As a member of the Senate Agriculture Committee, it is both an honor and a pleasure to consider the nomination of Fowler West to be a Commissioner of the Commodity Futures Trading Commission. Having had the opportunity to work closely with Mr. West I am certain that every one of us is keenly aware of his professional manner and dedication to American agriculture. The administration has nominated a most qualified man and I am certain Mr. West's leadership will prove to be a tremendous asset to the CFTC.

The Commodity Futures Trading Commission (CFTC), the Federal regulatory agency for futures trading, was established by the Commodity Futures Trading Commission Act of 1974. The CFTC consists of five Commissioners and regulates trading on the 11 U.S. Futures exchanges. It also regulates the activities of some 4,500 commodity exchange members, 420 public brokerage houses (futures Commission merchants), about 29,000 Commission registered futures industry salespeople, and 3,600 commodity trading advisors. The Commission's regulatory and enforcement efforts are designed to ensure that the futures trading process is fair and that it protects both the rights of customers and the financial integrity of the marketplace.

Fowler West's credentials clearly illustrates his ability to lead the CFTC in a most professional and effective manner. Mr. West attended North Texas State University in 1959 and graduated Baylor University in 1963 with a BA degree in Political Science and History. He received an MA in Legislative Affairs from George Washington University in 1980.

Currently a professional staff member for the House of Representatives Committee on Agriculture, Mr. West previously served as staff director for the committee from April 1973 to February 1982, and as a staff consultant before that. While serving on the staff of the House Committee on Agriculture, he worked on major farm support legislation including the Commodity Futures Trading Commission Act of 1974. This of course established the CFTC as an independent agency to oversee the rapidly growing futures trading industry.

The committee is also honored this morning to consider the nomination of Dr. Orville G. Bentley to be Assistant Secretary of Agriculture for Science and Education. Dr. Bentley's outstanding record clearly illustrates that he also is a most qualified man for the post to which he has been nominated.

The Science and Education division to the Department of Agriculture consists of three branches. The Agricultural Research Service (ARS), which administers a basic applied and developmental research program, deals with animal and plant protection and production and the use and improvement of soil, water and air. In addition, the ARS covers with human nutrition and the processing, storage and distribution of farm products. The Cooperative State Research Service (CSRS) is primarily the administrator of Congressional Acts authorizing Federal Appropriations for agricultural research. Finally, the Extension Service is the educational agency of the Department of Agriculture for Science and Education. He is currently Dean of the College of Agriculture at the University of Illinois at Champaign-Urbana, a post he has held since 1965. Dr. Bentley held a similar post at South Dakota State University from 1958–65, and worked at the Animal Science Department at the Ohio Agricultural Experiment Station at Wooster in 1950. Also, at the Ohio State University he served a joint appointment in the Animal Science and Agricultural Biochemistry Departments in 1951. A noted biochemist as well as a College administrator, he graduated South Dakota State College in 1942 with a major in Chemistry. He also received a M.S. and Ph. D. from the University of Wisconsin.

The nominee is presently serving on many University of Illinois committees as well as numerous state and national committees. He has served on the National Ag-

ricultural Research Advisory Committee (1970–72), the Board of the Foundation for American Agriculture (1970–75), the Board for International Food and Agricultural Development (appointed by President Gerald Ford) (1976–79), and in 1979 as an alternate to John S. Robins (Cochairman) on the Joint Council on Food and Agricultural Sciences.

Dr. Bentley has traveled extensively as an advisor and consultant on agriculturally related matters. For example, in the spring of 1980 he was an official delegate to the Scientific Forum in Hamburg, Germany and in the fall of that same year, he was an official delegate of the U.S. Department of Agriculture at a meeting of the Indo-U.S. Subcommission on Agriculture in New Delhi, India.

Mr. West and Dr. Bentley are both well qualified for their positions: They possess impeccable credentials and I am certain that confirmation by this committee will be unanimous. I hope we can get full Senate approval before the session terminates.

STATEMENT OF HON. ALAN J. DIXON, A U.S. SENATOR FROM ILLINOIS

Mr. Chairman, I am happy to present to the Senate Agriculture Committee Dean Orville G. Bentley, who has been nominated for the position of Assistant Secretary of Agriculture for Science and Education.

Orville G. Bentley has served as dean of the College of Agriculture at the University of Illinois since 1965. He is a noted biochemist as well as a college administrator.

Dean Bentley is a native of South Dakota. He earned his B.S. degree from South Dakota State College with a major in chemistry in 1942. He received his M.S. and Ph.D. from the University of Wisconsin in 1947 and 1950 respectively.

In October 1958, Dean Bentley was named dean of the College of Agriculture and Biological Sciences and director of the agricultural experiment station at the South Dakota State University, Brookings, South Dakota. He remained in that post until he was named dean at Illinois.

He is presently serving on many University of Illinois committees as well as numerous State and national committees. In 1976, he was named by President Gerald Ford to a three-year term on the board for International Food and Agricultural Development (BIFAD) under title XII of the Foreign Assistance Act of 1975.

Dean Bentley has traveled extensively as an adviser and consultant on agriculturally related matters. In 1966, he was one of ten agricultural specialists who accompanied Secretary of Agriculture Orville Freeman to South Vietnam to review agricultural and other factors directly influencing the food-producing capability of that country. His primary role was to evaluate the country's livestock industry. Similar assignments have taken him to India, Indonesia, Africa, Thailand, Puerto Rico, Peru, and Columbia. In the spring of 1980, Dean Bentley was an official delegate to the scientific forum in Hamburg, Germany. The Helsinki Final Act called for a meeting of scientists to discuss "current and future developments in science and to promote the expansion of contacts, communications and exchange of information between scientific institutions and scientists." The Hamburg meetings were the first scientific forum. In the fall of 1980, he attended a meeting of the Indo-U.S. Subcommission on Agriculture in New Delhi, India, as an official delegate of the U.S. Department of Agriculture to promote joint collaborative efforts in the agricultural field between the United States and India.

Dean Bentley is a member of several professional societies. Among the awards presented to him are the American Feed Manufacturers Award in 1958 for his original research in livestock nutrition, the distinguished alumnus award from South Dakota State University in 1967, as well as an honorary doctor of science degree from the same institution in 1974. Also in 1974, he was named a fellow in the American Society of Animal Science.

Mr. Chairman and members of the committee, Dean Bentley is well qualified for this position, and I recommend him highly to the committee.

STATEMENT OF HON. LLOYD BENTSEN, A U.S. SENATOR FROM TEXAS

Mr. Chairman, it is a pleasure for me to endorse the President's nomination of Mr. Fowler C. West to be a member of the Commodity Futures Trading Commission.

Fowler West will bring to the CFTC broad knowledge and experience on agricultural issues. A native of Waco, Texas, Fowler has served as Administrative Assistant to Congressman W. R. "Bob" Poage and has been staff director of the House Committee on Agriculture since 1973. I might point out that his knowledge of the Commodity Futures Trading Commission literally predates the formation of the

CFTC itself, since he was staff director of the House Ag Committee when that Committee authored the legislation which created the CFTC in 1974.

As a key staff member on one of the Congressional Committees having oversight jurisdiction over the CFTC, Fowler has been in a position to watch the CFTC grow and evolve with the rapidly-changing futures industry itself. At the same time, he has a strong background in the legislative process and a good understanding of the needs of farmers and ranchers.

I believe that this well-rounded background is a very important to the Commission. Commodities trading is a rapidly-expanding and very complex field. It is rife with the potential for abuse, as has been demonstrated so many times in the past. The jobs of many people depend on the continued good health of this industry, and they need fair and effective regulation to maintain the freely competitive markets that traders depend on.

At the same time, we must remember that the futures markets were not established as a tool for speculators. They were established to facilitate the orderly marketing of grain, cotton, livestock, and hundreds of other products for which there is a need for a forward-pricing mechanism to help both buyer and seller. The CFTC must not lose sight of this basic objective, and they must see that the futures markets meet the needs of the producers of this country, whether they be farmers, ranchers, miners, or whatever, and of the merchants, packers, mills, elevators, and other buyers.

The commodity markets are in essence a means for facilitating the smooth and orderly meeting of buyers and sellers in a competitive marketplace. The CFTC must see that the competition in this marketplace is fair and that the marketplace meets the needs of all the participants. I believe that Fowler West will bring to the CFTC a valuable understanding of the needs of the participants in this marketplace and an appreciation of the place and the role of the CFTC in the ever-changing world of the futures markets. I commend the nomination of Mr. West to you and I urge approval of this nomination.

STATEMENT OF HON. WILLIAM C. WAMPLER, REPRESENTATIVE IN CONGRESS FROM THE NINTH DISTRICT OF VIRGINIA ON THE NOMINATION OF ORVILLE BENTLEY

Mr. Chairman, it is indeed an honor and a personal pleasure for me to meet with you today to support the nomination of Orville G. Bentley to be Assistant Secretary for Science and Education.

President Reagan's nomination of Dr. Bentley to be the U.S. Department of Agriculture's first Assistant Secretary for Science and Education is a fine choice and is further indication of the President's support for a strong research and education program to help maintain America's leadership position in agriculture.

In Dr. Bentley, the President has selected a scientist who knows agriculture and who knows, and is preeminent in, agricultural research and education. Dr. Bentley is a noted biochemist as well as a college administrator. He has managed research programs and has developed a world of experience in transferring "grass roots" research requirements into national agricultural research policy that has guided agricultural progress not only in the United States, but in many of the world's developing countries.

He has traveled extensively as an adviser and consultant on agriculturally-related matters. In 1966, he was one of ten agricultural specialists to go to South Vietnam to review agricultural and other factors directly influencing the food-producing capability of that country. Similar assignments have taken him to India, Indonesia, Africa, Thailand, Puerto Rico, Peru, and Colombia.

In 1980, Dean Bentley was honored by being named an official U.S. Delegate to the Scientic Forum held in Hamburg, Germany, were he presented a paper on scientific information exchange and technology transfer.

Dr. Bentley is keenly aware of the humane applications of agricultural research in fighting hunger throughout the world. He served three years as one of the charter members of the U.S. Board for International Food and Agricultural Development, commonly known by its acronym, BIFAD. Under the program directed by BIFAD, U.S. agricultural colleges and universities offer their vast educational, extension, and research resources to help improve agriculture in lesser developed countries.

I mention these few of many outstanding accomplishments simply as a sampler of the scope of Dean Bentley's many professional responsibilities during his career.

And now, Mr. Chairman, since the position we are discussing here today is a new position, I believe there may be merit in emphasizing why this position was created

in the national agricultural research, extension, and teaching policy act which I authored.

Many of us in the House of Representatives had been concerned for some time that the research, extension, and teaching activities of the Department of Agriculture were not getting sufficient priority attention in policy decisions made in the Department. Nor was there a prestigious and creditable spokesman to represent the Department in inter-departmental decisionmaking that affected agricultural research, extension, and teaching programs. Accordingly, we felt it necessary to create through legislation an additional Assistant Secretary of Agriculture who would supervise and coordinate this vital program so important to future agricultural progress.

When this legislation was drafted to include an Assistant Secretary for Science and Education, I had specific views as to the qualifications of the person who would fill that position.

I envisioned the appointment of one who would have a wide knowledge of agriculture and the many disciplines and economic factors involved in food, fiber, and forest products research, extension, production, and marketing. Such a man is Dr. Bentley who has had a distinguished career over the past 24 years as an agricultural college dean, first at South Dakota State University in his home State and then at the University of Illinois.

I envisioned the appointment of a man who would combine that rare combination of talents needed for this position—a strong scientific background and demonstrated administrative capabilities. Such a man is Dr. Bentley, who not only is widely recognized for his achievements in the fields of biochemistry and animal science but who also brings to this job 24 years of administrative experience as the dean of two outstanding colleges of agriculture.

I am confident that Dr. Bentley can exert the leadership necessary for the planning, coordination, and implementation of a much improved agricultural science and education program to meet the challenges ahead in our production and utilization of our food, fiber, and forest products.

Mr. Chairman, I wholeheartedly endorse the appointment of Dr. Bentley and I urge swift approval by this committee and the United States Senate.

[Written questions from Senator Helms and Dr. Bentley's answers thereto:]

Question. What would you guess is the financial future of Agricultural Research Programs administered by the Cooperative State Research Service?

Answer. I believe there will be continued support for research programs administered through the Cooperative State Research Service. They have been highly successful in the past and have served State, local and National needs. In addition, they have provided research opportunities for gradulate level students in the agricultural sciences. I fully expect the States and the land grant universities to maintain strong agricultural research programs within the framework of budgetary constraints.

Federal support under the Hatch Program, at the Agricultural Experiment Stations has in my opinion been a wise investment of public funds. Studies indicate that returns from public investments for research and education in the total agricultural system have been high and are estimated to be in the range of 30 to 50 percent.

Question. You came here from the University of Illinois, what is your relationship with that University at this time? Will there be any continuing relationship?

Answer. I will resign my Deanship upon confirmation and have obtained a leave of absence from the University of Illinois as a professor. These actions have Secretary Block's concurrence and I foresee no conflict of interest.

Question. How do you feel about the funding levels contained in Fiscal Year 1983 Appropriation?

Answer. I am pleased to see there are increases and some real growth in the S&E programs in the 1983 budget. This is very encouraging and shows the support the Secretary has for these programs despite the very tight budget situation we all face.

Question. The position of the Administration is to reduce the Cooperative State Research Service staff in Washington. How do you propose to do that?

Answer. If the recommendations provided in the fiscal year 1983 Budget are sustained by the Congress, the Department will respond in a way that maintains essential functions performed by the Headquarters staff. Studies are being made to identify these functions and determine the best way to implement changes without disrupting important research programs performed in the field.

Question. Some believe the Agriculture Research System—Land Grant Colleges, Extension and Experiment Stations—has become outmoded. What do you think?

Answer. There has been several studies in recent years providing recommendations to improve the agricultural research and extension system. Basically, there has been a singular underlying premise in each of the reports; namely, that the system is sound and only needs modifying to address long term requirements. I agree that some adjustments are needed, but I don't agree that the system is outmoded. I intend to address this issue and will work to shape the system and programs as required.

[Written question from Senator Hayakawa and Dr. Bentley's answer thereto:]

Question. What areas in the Department of Agriculture, Office of Science and Education need improvement or alterations?

Answer. The Secretary has a number of studies underway which I feel may provide useful recommendations. We will give these careful review and submit recommendations to the Secretary of Agriculture. Recently there have been changes which reduced the size of some centralized support staffs at Headquarters. Wherever possible we will endeavor to cut back support staffs at every level.

[Written question from Senator Leahy and Dr. Bentley's answer thereto:]

Question. Organic farming offers farmers an alternative to intensive use of chemicals in production of crops. The Department of Agriculture has decreased its emphasis on organic farming research and Secretary Block has been quoted as saying that organic farming is a "dead end." How do you propose to provide information to farmers who want to know more about organic agriculture? Can you assure this committee that a farmer will not have to wander through a bureaucratic maze to obtain information on organic farming?

Answer. The Department has not decreased its organic farming research. There are a number of ongoing projects which are to be continued by federal and cooperating State scientists. The Federal Extension Service will facilitate the exchange of technical information among states by maintaining liaison with Cooperating State Extension Services. A farmer in need of information on organic farming will only have to inquire of the County Extension Agent.

[Written questions from Senator Huddleston and Dr. Bentley's answers thereto:]

Question. How will you be able to oversee funding decisions that affect the land grant universities if you maintain your post at the University of Illinois?

Answer. I will resign my Deanship upon confirmation and have obtained a leave of absence from the University of Illinois as a professor. These actions have Secretary Block's concurrence and I foresee no conflict of interest.

Question. The National Agriculture Research and Extension Users Advisory Board was established to provide a means by which users of the research and extension programs could provide meaningful advice to the Department concerning needed funding and changes in program emphasis. How will you incorporate the recommendations of this advisory panel into the budget and planning process?

Answer. As you know on an annual basis the Board provides a report to the Secretary of Agriculture containing recommendations on agricultural research, extension, and education. In the past the Board outlined program priorities which are clearly important and consistent with the goals of the Department. In any event, you can be sure we will keep the Board's priorities in mind as we make important policy and budget decisions in the days ahead.

Question. The Department of Agriculture has the lead role in the Federal government for food and agricultural research. Yet funding for these functions is scattered through many Federal agencies. There is some concern that coordination among these varied research programs is not as good as it might be.

In time of stable or declining funding for research by the Federal government, adequate planning and coordination become more important, to ensure that needless duplication does not occur. What steps would you take to accomplish greater efficiencies in Federally-funded research programs? What role will the Joint Council on Food and Agricultural Sciences play in your plan?

Answer. The Federal Coordinating Council on Science and Technology provides the means for coordinating research among federal agencies. A USDA representative chairs the subcommittee on Food, Agriculture and Forestry Research and it is

the mechanism for working with other federal agencies. I will be exploring ways to improve coordination with those agencies.

The Joint Council provides a critical forum for the interchange of information on food and agricultural services, programs and issues between federal, state and private interests. The Joint Council is an advisory body and makes recommendations that can lead to improving the efficiency of the state/federal research system.

Question. The Cooperative Extension system's success has lead to increased demand being placed upon it. Steady or declining funding from the partners in the system has caused strains and is causing extension to re-evaluate its mission, goals and priorities. What do you see as the future role of the Cooperative Extension system in society?

Answer. There has been several reviews of the Extension system in our society. All reviews indicate the need for the following types of changes in the Extension Service, USDA:

National level efforts must be realigned and redirected to enhance leadership, minimize program oversight, and target available resources toward critical program emphases.

There must be increased use of mechanisms other than permanent Federal employees to tap the highly qualified expertise available within the food and agriculture system in the States and private sector.

A sharper and more definite role and functions must be developed for the Extension Service, USDA. A revised mission statement, role, and functions is being developed and will be our blueprint for the future.

Question. There is high demand for graduates from agricultural universities in this country, leading many graduates to leave the University. This, combined with steady or declining support for Higher Education, may lead to a declining resident instruction program in agriculture. What would you do to strengthen the resident instruction program in agriculture?

Answer. I am very concerned about this issue. Serious shortages of scientists and professionals currently exist in critical areas. We need to look at ways to attract, and educate scholars to prepare for key scientific and educational roles which are in the domain of publicly conducted agricultural research and education programs.

Question. Dr. Bentley, earlier this year Science Magazine reported that scientists serving on peer review panels at USDA have been politically screened. Mr. James Handley, a Special Assistant to Secretary Block, was quoted as saying

"We like to believe we have a more conservative philosophy than the last Administration. We would like to appoint people who share out political views."

Some people are of the opinion that these practices have not ceased and have been extended to cover scientific advisory panels at USDA. Do you see the political screening of scientists as contributing to the betterment of agricultural research? What will be your policy on appointment of scientists to review panels or advisory panels?

Answer. Political checks are made and will continue to be made on prospective appointees to those committees which have an impact on Administration policy. Policy is the key word. Political checks on other totally scientific panels have been suspended at this time to the best of my knowledge.

United States of America
Office of Government Ethics

Office of Personnel Management
Washington, D.C. 20415

Honorable Jesse A. Helms
Chairman, Committee on Agriculture,
Nutrition, and Forestry
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

In accordance with the Ethics in Government Act of 1978, I enclose a copy of the financial disclosure report filed by Orville G. Bentley, who has been nominated by President Reagan for the position of Assistant Secretary of Agriculture for Science and Education.

We have reviewed the report and have also obtained advice from the Department of Agriculture concerning any possible conflict in light of the Department's functions and the nominee's proposed duties. Dr. Bentley currently serves as Dean of the College of Agriculture of the University of Illinois, Urbana-Champaign. He plans to resign as Dean and to request a leave of absence without pay as a professor from the University during his tenure as Assistant Secretary of Agriculture. Dr. Bentley also serves as a member of the Board of Trustees of the American University of Beirut, and plans to retain that affiliation as well. Dr. Bentley has agreed, therefore, to recuse himself from participation in any matter which may arise within the Department of Agriculture involving or directly affecting either the University of Illinois or the American University of Beirut. Enclosed for this purpose is a copy of Dr. Bentley's August 30, 1982, letter to us pledging such recusal. Also enclosed is a copy of a letter dated August 25, 1982, to Dr. Bentley from Secretary of Agriculture John R. Block concluding, pursuant to 18 U.S.C. § 208(b), that Dr. Bentley's private interest in land grant colleges and universities in general (resulting from his continuing relationship with the University of Illinois) "is not so substantial as to be deemed likely to affect the integrity of the services which the government may expect" from him.

Dr. Bentley has indicated on his financial disclosure report that he serves as a member of the Board of Directors of the Busey First National Bank of Urbana, Illinois, and as a consultant to the Board for International Food and Agricultural Development. In his August 30, 1982, letter to this Office, Dr. Bentley pledged to resign from both of these positions upon his confirmation by the Senate as Assistant Secretary of Agriculture for Science and Education.

Based upon the foregoing conditions and commitments, we believe Dr. Bentley will be in compliance with applicable laws and regulations governing conflicts of interest.

Sincerely,

David R. Scott by L.S.
David R. Scott
Acting Director

Enclosures:

11-270 O—82——4

FINANCIAL DISCLOSURE REPORT

Page 1

Nomination Appointment Reappointment

X New Entrant, Nominee or Candidate

Terminated Filer Report

NOTE: All information must be filled. Enter "None" in blank or across schedules where appropriate.

Agency Use Only — Date of Filing (Month, Day, Year):

OGE Use Only

	Last Name	First Name and Middle Initial	Date of Appointment, Candidacy, Election or Nomination (Mo., Day, Yr.)	Termination Date (if Applicable) (Month, Day, Year)
Reporting Individual's Name:	Bentley	Orville G.		
Position for Which Filing:	Title of Position: Assistant Secretary for Science and Education	Department or Agency (if Applicable): Department of Agriculture		
Address of Present Office:	Address (Number, Street, City, State, and Zip Code): 1301 W. Gregory Drive, Urbana, IL 61801		Room Number: 101 Mumford Hall	Telephone No. (Include Area Code): (217) 333-0462
Address for Receipt of Confidential Report:	Name of Contact (Individual Completing Request for Additional Information):		Do You Intend to Create a Qualified Blind Trust? Yes: ☐ No: ☐	

Positions Held With the Federal Government During the Preceding 12 Months (If Same as Above): Title of Position(s) and Dates Held: None

Certification

I CERTIFY that the statements I have made on this form and all attached schedules are true, complete and correct to the best of my knowledge and belief.

Signature of Reporting Individual: Orville G Bentley — Date (Month, Day, Year): June 30, 1982

Agency Ethics Official's Opinion

The information contained in this report discloses no conflict of interest under applicable laws and regulations.

Signature of Designated Agency Ethics Official/Reviewing Official: William J. Riley, Jr. — Date (Month, Day, Year): 3 Sept 1982

Office of Government Ethics Use Only

Signature: David K. Scott by D.D — Date (Month, Day, Year): ~~2 Sep 82~~

Comments of Reviewing Official (If additional space is required, use the reverse side of this sheet)

(Check box if comments are continued on the reverse side.)

INCOME AND INTERESTS IN PROPERTY

Page Number 2 | Schedule A

Reporting Individual's Name: Bentley, Orville G.

Agency Use Only

Date Filing (Month Day, Year): June 30, 1982

N/A

	Income														Interests in Property									
	Type of Income (*)							Category of Amount or Value (✓)								Value (✓)								
	Dividends	Rent	Interest	Capital Gains	Royalties	Prof. Fees	Other (Specify)	None or less than $100	$101 - $1,000	$1,001 - $2,500	$2,501 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	Over $100,000	Actual Amount	Only if Other Checked	Date (Mo. Day/Yr.)	Only if Honoraria	None or less than $1,000	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $250,000	$250,001 - $500,000	Over $500,000
Univ. of Ill., Urbana, IL 1981 to 5/31 1982							Salary								60,333									
" " " " "							"								26,250									
Busey First Natl. Bank, Urbana, IL 1981 to 5/31 1982							Director Fees								1,700									
" " " " "							"								1,400									
W. K. Kellogg Foundation, Battle Creek, MI							Honorarium								500		5/19 - 20 1981							
Oregon St. Univ., Corvallis, OR							"								500		6/8/82							
Farm, 153 A, Bryant, SD 1981 (gross) (unimproved)							Crop Shares								4,247				A		X			
" " " " " 1982 (gross)							"								3,718				A		X			
S Undivided 1/3 interest in 506 Acres unimproved farm land, Brookings and Union Counties, SD; and commercial building, Alcester, SD (partnership dissolved 1981--estate settled) 1982 (gross)		X					Crop Shares		X						9,934				A		X			
Shares State Bank of Alcester, Alcester, SD		X							X						10,095				A		X			
S 160 Acres unimproved farm land, Union County SD 1982 (gross)		X					Crop Shares		X						5,392				A	X				
S 1/3 interest commercial building, Alcester, SD 1982																			B		X			

INCOME AND INTERESTS IN PROPERTY

This schedule is applicable in the case of all reporting individuals

	Yes	No
..., your spouse, or dependent child receive income from, or have a ...		
...		
... from the trust?		
... of the trust?		
If "yes," is this trust a "excepted" trust? ... or "qualified" trust?		

If there are any interests in property, purchases, sales, or exchanges, or liabilities of a spouse or dependent child which you have not reported but which would be reportable, but for the following:

1. They represent solely your spouse's or dependent child's financial interest or responsibility;
2. They are not, in any way past or present, derived from your income, assets, or activities;
3. You neither derive, nor expect to derive, any financial or economic benefit from them; and
4. You do not have knowledge as to the composition of such interests or liabilities.

Do you certify to all of the above? Yes ☐ No ☐

Page Number	3	Schedule A

Reporting Individual's Name: Bentley, Orville G.

Agency Use Only

Date of Filing (Month Day Year): June 30, 1982

Asset (Sch A) or Organization (Sch B)	Identification	Income: Type of Income (✓) Dividends	Rent	Interest	Capital Gains	Excepted Trust	Qualified Trust	Other (Specify)	Income: Category of Amount or Value (✓) None (or less than $101)	$101 - $1,000	$1,001 - $2,500	$2,501 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	Over $100,000	Actual Amount (Only if "Other" Specified)	Date (Mo Day Yr) (Only if Honoraria)	Interests in Property: Valuation of Assets (✓) Valuation Method	$1,001 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	Over $250,000
S	100 shares PaGe	x								x									A	x					
	240 shares Niag MHK Power	x								x									A	x					
	70 shares El Paso N. Gas	x								x									A	x					
	25 shares ATT	x								x									A	x					
	195 shares GM	x								x									A		x				
	53 shares IBM	x								x									A	x					
	113 shares ITT	x								x									A	x					
	80 shares Merck	x								x									A		x				
	40 shares People Energy	x								x									A	x					
	214 shares Rubbermaid	x								x									A		x				
	70 shares Busey First Corp, Urbana	x									x								E			x			
	100 shares Natl Bank of Urbana	x								x									E		x				
S	C.D. Busey First Natl. Bank, Urbana, IL purchased 1981 and 1982			x							x														

INCOME AND INTEREST

This schedule is applicable in the case of

Page Number 4

Reporting Individual's Name
Bentley, Orville G.

Agency Use Only
June 30, 1982

| | Identification | | |

PURCHASES, SALES, AND EXCHANGES

Report Applicable Transactions Over $1,000 Not Reported on Schedule A

Page Number: 5

Reporting Individual's Name: Bentley, Orville G.

Agency Use Only

Date of Filing: Month, Day, Year: June 30, 1980

ID No.	Owner	Description of Property (real estate and personal)	Type of Transaction: Purchase	Sale	Exchange	Date: Month, Day, Year: Purchase	Sale or Exchange	Category of Amount or Value: $1,001 to $15,000	$15,001 to $50,000	$50,001 to $100,000	$100,001 to $500,000	Over $500,000
		not applicable										

GIFTS AND REIMBURSEMENTS

This schedule is applicable only in the case of annual and termination reports.

Page Number	6	Schedule C

Reporting Individual's Name
Bentley, Orville G.

Agency Use Only

Date of Filing (Month, Day, Year)
June 30, 1982

I. Lodging, Transportation, Food and Entertainment—*List each source totaling $250 or more in value*

$ or DC	Source (Name and Address)	Brief Description	Value
	not applicable		

II—All Other Gifts—*List each source totaling $250 or more in value*

$ or DC	Source (Name and Address)	Brief Description	Value
	not applicable		

III. Reimbursements—*List each source totaling $250 or more in value*

$	Source (Name and Address)	Brief Description	Value
	not applicable		

Reporting Individual's Name: Bentley, Orville G.

Date of Filing (Month, Day, Year): June 30, 1982

Page Number: 7

Name and Address of Creditor	Type of Liability (e.g., promissory note, margin account) Give date, interest rate and, if applicable, term	Category of Amount or Value: $10,001 to $50,000	$50,001 to $100,000	$100,001 to $500,000	Over $500,000
none	none				

POSITIONS HELD

Name of Organization	Type of Organization	Position Held	From (Mo., Yr.)	To (Mo., Yr.)
University of Illinois, Urbana, IL	University	Professor and Dean, College of Agriculture	Sept 1965	Present
American University of Beirut, Beirut, Lebanon	University (chartered under laws of State of New York)	member of Board of Trustees	March 1973	Present
Busey First National Bank, Urbana, IL	Commercial bank	member of Board of Directors	Jan 1967	Present
Board for International Food and Agricultural Development	authorized in Title XII of Foreign Assistance Act of 1961, as amended in 1975 (PL 94-161)	consultant	Dec 1980	Present

COMPENSATION IN EXCESS OF $5,000 PAID BY ONE SOURCE

This section is applicable only to the case of nominees and new entrants.

Source (Name and Address)	Brief Description of Duties
University of Illinois, Urbana, IL	Responsible for administration of teaching, research, and extension education programs of the College of Agriculture

RELATIONS WITH OTHER EMPLOYERS

Description of Terms of Any Agreement or Arrangement	Parties	Date (Mo., Day, Yr.)
Leave of absence without pay will be requested *	University of Illinois at Urbana-Champaign	to be determined
Leave of absence without pay will be requested	Busey First National Bank	to be determined

* See attached statement

UNIVERSITY OF ILLINOIS
AT URBANA-CHAMPAIGN

CAMPUS ADMINISTRATIVE
Personnel Policies
Section IX/C - 3/e
Academic

Issued: September 24, 1980
Issued by: Edwin L. Goldwasser

LEAVES OF ABSENCE WITHOUT PAY

Leaves of Absence Without Pay Should Be Infrequent, Approved Only After Previous Justification By The Appropriate Dean To Maintain The Best Interests Of The University.

The following points summarize the basic philosophy concerning leaves of absence without pay:

1) Such a request should not be approved unless the best interests of the University can reasonably be considered to be served by granting such a leave. The request of an individual for leave, without good reason, should not be approved -- whatever its proposed duration.

2) It is the obligation of the head of the department to justify approval of the leave by indicating (a) what provision will be made to have the applicant's work done during the leave, and (b) why the department's program will not be adversely affected on total balance. Before approving such a request, the dean should investigate not only the particular request but the general staff situation of the department, making sure that the request is justifiable on both counts before approving it.

3) A leave of absence for two consecutive years primarily to teach at another institution should not ordinarily be approved, and under no circumstances should it be approved unless the University's best interests clearly dictate such an exception. If the dean thinks, after careful inquiry, that an exception to this rule should be allowed, the reasons for such an exception should be stated in a letter to the Chancellor.

4) Recurring requests for leaves of absence -- even when not for consecutive years -- should not be approved without very strong justification. Faculty members cannot meet their obligations to the University, and especially not those to graduate students, while teaching at other institutions.

There are many situations in which a one-semester or one-year leave of absence without pay may be justified, and a reasonably flexible attitude on this matter should be adopted. Leaves for longer periods or frequently recurring leaves, even if not in consecutive years, would not seem to be in the best interests of the University. Deans and department heads are urged to give careful consideration to requests for leaves without pay. Reasonably uniform policies should be adhered to as outlined above.

NOTE: See IX/C - 1/u, "Policy for Counting Service Toward the Completion of the Probationary Period for Faculty Members Who Provide Service for Less Than a Full Appointment Year."

This directive supersedes the directive dated July 16, 1975.

DISCARD PREVIOUS RELEASE

ORVILLE G BENTLEY
8 Concord Lane - Rte. 2
Urbana, Il. 61801

August 30, 1982

Honorable J. Jackson Walter
Director
Office of Government Ethics
Office of Personnel Management
1900 E Street, N.W.
Washington, D. C. 20415

Dear Mr. Walter:

The purpose of this letter is to explain the steps I intend to take, in connection with my impending nomination for the position of Assistant Secretary of Agriculture for Science and Education, in order to avoid any actual or apparent conflict of interest between my personal financial interests on the one hand, and the duties of the Assistant Secretary position on the other.

I have served since 1965 as Dean of the College of Agriculture at the University of Illinois, Urbana-Champaign, and I plan to resign as Dean and request a leave of absence without pay as a professor from the University during the period of my service as Assistant Secretary of Agriculture. I have also served since 1973 as a Member of the Board of Trustees of the American University of Beirut, and I wish to avoid severing this relationship as well. For these purposes, and in order to avoid any potential for a conflict of interest, I will recuse myself from participation in any particular matters which may arise within the Department of Agriculture, during my period of service, which involve or in any manner directly affect either the University of Illinois or the American University of Beirut.

I understand that my pledge to so recuse myself from participation in matters involving these two institutions will not, however, limit my ability to participate in matters involving or affecting other land-grant colleges and universities, or to participate in discussions or determinations of general policy issues affecting all such institutions. To that effect, I understand that the Secretary of Agriculture has signed a letter concluding pursuant to 18 U.S.C. 208(b) that my private interest in land-grant colleges and universities in general -- resulting from my continuing relationship with the University of Illinois -- "is not so substantial as to be deemed likely to affect the integrity" of the services I will perform for the Government.

My Financial Disclosure Report, SF-278, filed June 30, 1982, also lists my affiliations as a Member of the Board of Directors of the Busey First National Bank of Urbana, Illinois, and as a Consultant to the Board for International Food and Agricultural Development (BIFAD), a Board established by the President pursuant to section 298 of the Foreign Assistance Act of 1961, as amended (22 U.S.C. 2220c). I intend to resign from both of these positions upon my confirmation by the Senate for the Assistant Secretary position.

I believe that these steps will assure that no conflict of interest, either actual or apparent, will exist between my personal financial interests and the duties I will perform as Assistant Secretary of Agriculture for Science and Education.

Sincerely,

Orville G. Bentley

OGB:jp

DEPARTMENT OF AGRICULTURE
OFFICE OF THE SECRETARY
WASHINGTON, D. C. 20250

SEP 3 1982

Honorable J. Jackson Walter
Director
Office of Government Ethics
1717 H Street, N. W.
Washington, D. C. 20006

Dear Mr. Walter:

Enclosed is a copy of the SF-278, Financial Disclosure Report, filed by Dr. Orville G. Bentley, a candidate for the position of Assistant Secretary of Agriculture for Science and Education, which I have signed as this Department's designated official under the Ethics in Government Act of 1978.

Dr. Bentley currently serves as Dean of the College of Agriculture of the University of Illinois, Urbana-Champaign, and plans to resign as Dean and to request a leave of absence without pay as a professor from the University during the tenure of his service as Assistant Secretary of Agriculture. He also serves as a Member of the Board of Trustees of the American University of Beirut, Beirut, Lebanon, and requests permission to retain that affiliation as well. Dr. Bentley has agreed, therefore, to recuse himself from participation in any matter which may arise within the Department of Agriculture, during his tenure as Assistant Secretary, involving or directly affecting either the University of Illinois or the American University of Beirut. Enclosed for this purpose is Dr. Bentley's letter to you of August 30, 1982, pledging such recusal. Also enclosed is a copy of a letter to Dr. Bentley from Secretary of Agriculture John R. Block, dated August 25, 1982, concluding pursuant to 18 U.S.C. 208(b) that Dr. Bentley's private interest in land grant colleges and universities in general -- resulting from his continuing relationship with the University of Illinois -- "is not so substantial as to be deemed likely to affect the integrity of the services which the Government may expect" from him.

Dr. Bentley also lists himself as a Member of the Board of Directors of the Busey First National Bank of Urbana, Illinois, and as a Consultant to the Board for International Food and Agricultural Development (BIFAD), a Board established by the President pursuant to §298 of the Foreign Assistance Act of 1961, as amended (22 U.S.C. 2220c). In his letter to you of August 30, 1982, enclosed, Dr. Bentley has pledged to resign from both of these positions upon his confirmation by the Senate as Assistant Secretary of Agriculture for Science and Education.

Based upon the commitments made in Dr. Bentley's letter to you, and upon the waiver contained in Secretary Block's letter to Dr. Bentley, I believe that Dr. Bentley's SF-278 discloses no conflict of interest under applicable laws and regulations.

Sincerely,

William J. Riley, Jr.

WILLIAM J. RILEY, JR.
Director of Personnel
and
Designated Agency Official

Enclosures

Mr. Walter

DEPARTMENT OF AGRICULTURE
OFFICE OF THE SECRETARY
WASHINGTON, D. C. 20250

Dr. Orville G. Bentley
Dean
College of Agriculture
University of Illinois at Urbana-Champaign
101 Mumford Hall
1301 West Gregory Drive
Urbana, Illinois 61801

Dear Dr. Bentley:

Through your Financial Disclosure Report (SF 278), you have informed us that, if confirmed by the Senate, you plan to take a leave of absence without pay from your position as Dean of the College of Agriculture, University of Illinois at Urbana-Champaign, during your tenure as Assistant Secretary of Agriculture for Science and Education.

In view of your continuing relationship with the University of Illinois, while in Government service you should recuse yourself from participating in any particular matters which may arise within the Department of Agriculture which involve or in any way directly affect the University of Illinois. I should add that you must also recuse yourself from any such particular matters involving or directly affecting the American University of Beirut in view of your position on the Board of Trustees of that institution. This prohibition does not, however, bar you from participating in decisions directly affecting other land grant colleges and universities or policy matters having general impact on such institutions.

Pursuant to Executive Order 11222, delegating to me the authority in Section 208(b)(1) of Title 18 of the United States Code, I am authorized to grant a waiver from the applicability of §208(a) if it is determined that your private interest in decisions regarding land grant colleges and universities in general or those other than the University of Illinois "is not so substantial as to be deemed likely to affect the integrity of the services which the Government may expect" from you.

Based upon the University of Illinois' leave of absence policy which you have provided to us, and your discussions with my staff, I do not believe that your continuing connection with the University is likely to influence

you in your discussions or decisions in areas of science and education at the Department of Agriculture. Accordingly, I hereby grant you a waiver from the applicability of §208(a), as that section might otherwise operate to impose liability on you for your participation in science and education matters as they relate to land grant colleges or universities in general or to specific institutions other than the University of Illinois at Urbana-Champaign.

If you have any questions concerning this matter, please do not hesitate to contact my office.

Sincerely,

/s/

JOHN R. BLOCK
Secretary of Agriculture

OGC:JMKelly:bjp:8/25/82:ext. 447-7219

cc: J. Jackson Walter
Director
Office of Government Ethics

D. Edward Wilson, Jr.
Associate Counsel
Office of the Counsel to
the President

William J. Riley, Jr.
Director of Personnel

James Michael Kelly
Associate General Counsel

STATEMENT OF HON. THOMAS S. FOLEY, REPRESENTATIVE IN CONGRESS FROM THE FIFTH DISTRICT OF WASHINGTON

Mr. Chairman and members of this distinguished Committee, I feel privileged to appear here today to speak on behalf of Fowler West and his nomination by President Reagan to serve as one of the Commissioners of the Commodity Futures Trading Commission.

I have known Fowler for almost the entire time I have been in the Congress. During those years, I have not only witnessed Fowler's growth as a person but have had the opportunity to watch him develop in both expertise and responsibility, first as a member of our former colleague Bob Poage's personal staff and later as his Administrative Assistant; as a part of the House Agriculture Committee's professional staff under the late Honorable Harold Cooley; and finally as the Committee's Staff Director, a position in which he has served three Chairmen, myself included, with loyalty, dedication, and distinction.

From this experience, Fowler has emerged with superb administrative skills which have won him enormous respect for his sensitivity to people and issues and have greatly enhanced the spirit of true bipartisanship which exists on the House Agriculture Committee. Additionally, he has gained an in-depth knowledge of the legislative process and a thorough understanding of both American agriculture and the workings of the Commodity Futures Trading Commission, with which he and the Committee have been involved from its legislative beginnings.

While I would be delighted to claim full credit as the first to recognize Fowler's abilities, this distinction belongs to Bob Poage. My own was to have had the good sense to rely on the soundness of Bob's judgment and to reap the benefit by persuading Fowler to remain as Staff Director during the six years of my own Chairmanship. In my view, full credit must also go to the President for recognizing the importance of CFTC to Farmers and agribusiness and, like Bob Poage, realizing that Fowler West was the right man for the job.

Should the Senate approve Fowler's nomination, I know that he will make a first-rate addition to an outstanding Commission.

STATEMENT OF HON. WILLIAM C. WAMPLER, REPRESENTATIVE IN CONGRESS FROM THE NINTH DISTRICT OF VIRGINIA ON THE NOMINATION OF FOWLER WEST

And now, Mr. Chairman, if I may maintain the "floor" for a few minutes more . . . I would like to also support the nomination of Mr. Fowler West whom I understand will appear before this committee later today, and I would appreciate my statement being included in the hearing record.

I am delighted by the President's appointment of Fowler West to be a Commissioner for the Commodity Futures Trading Commission.

I have known Fowler ever since he joined the staff of the House Committee on Agriculture—in fact, we began our Agriculture Committee experience at about the same time. So, I have had a good opportunity to observe Fowler "in action," so to speak, over the past 18 years.

Mr. Chairman, I am sure that we would agree that serving as a staff director for an Agriculture Committee can indeed serve as training ground for appointment as a CFTC Commissioner. As staff director of our committee for many years, Fowler was charged with the responsibility of carrying out the will of the majority while addressing the wants of the minority, not always the easiest of tasks.

I don't suppose that keeping everyone happy all the time is either possible or for that matter a prerequisite of either a staff director or a Commissioner. But I can say that Fowler West developed a good talent for even-handed treatment of his former constituency, Democrats and Republicans alike.

Through his experience in serving three distinguished Agriculture Committee chairmen, W. R. "Bob" Poage, Tom Foley and Kika de la Garza. Fowler West has had the opportunity to gain a vast knowledge of American agriculture, as it is viewed from "the Hill." He has done legislative staff work on a number of important agricultural bills, including the Commodity Futures Trading Commission Act of 1974 and its amendments of 1978, through which the Commission was established as an independent agency to oversee the rapidly growing futures trading industry.

In addition to major farm price support legislation, Fowler also handled staff work involved in the farm credit act of 1971, the Rural Telephone Bank Act of 1971, the Rural Development Act of 1972, and the Rural Electrification Act Amendments of 1973.

I believe that Fowler West's strong background in agriculture and legislative work will stand him in good stead as a Commissioner of the CFTC and I urge this committee's support of his nomination. Thank you, Mr. Chairman.

STATEMENT OF FOWLER C. WEST, MEMBER, COMMODITY FUTURES TRADING COMMISSION—DESIGNATE

Mr. Chairman and Members of this distinguished Committee, I wish to thank you for scheduling this hearing during these hectic closing days of the 97th Congress. I am honored and grateful that the President has nominated me to be a Member of the Commodity Futures Trading Commission.

Should this Committee and the full Senate see fit to confirm me, I plan to give particular attention to finding new ways to educate farmers and agribusiness organizations in general on potential risk management benefits available in the futures market.

While there are many varied futures contracts which are providing great services to the world economy, the trading in agricultural futures still amounts to about half of the trading volume. I feel that the Commodity Futures Trading Commission is in a position to encourage futures education programs which could be conducted in cooperation with farm organizations, the Department of Agriculture, banks, futures exchanges and others. In fact new focus on this area has developed since the appointment of the first agricultural producer to the Agency not long ago.

I have been close to the problems of farmers for almost my entire life. I grew up in a farming area of Central Texas near Waco, working on farms in my early years. Since coming to Washington I have been honored to work under former Congressman W. R. Poage and three other Chairmen of the House Committee on Agriculture; the late Honorable Harold D. Cooley, The Honorable Thomas S. Foley and the present Committee Chairman, The Honorable E de la Garza. All of these leaders have taken leading roles in protecting the interest of the American farmer. Certainly this Committee, under your able leadership Mr. Chairman, is following the same course.

Mr. Chairman, if confirmed by the Senate, I will do whatever I can to keep the CFTC an effective and responsive agency. In particular I welcome the opportunity to cooperate fully with Members of the Senate and House Agriculture Committees. The CFTC was created by Congressional initiative. Some of the Members of this great Committee had much to do with the drafting and enactment of the law establishing the agency back in 1974.

As one who has seen the CFTC develop through the years, I particularly welcome the challenge of serving as a Member of the Commission should you grant me that privilege.

Thank you Mr. Chairman.

United States of America
Office of Government Ethics

Office of Personnel Management
Washington, D.C. 20415

September 20, 1982

Honorable Jesse A. Helms
Chairman, Committee on Agriculture,
Nutrition and Forestry
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

In accordance with the Ethics in Government Act of 1978, I enclose a copy of the financial disclosure report filed by Fowler C. West, who has been nominated by President Reagan for the position of Commissioner of the Commodity Futures Trading Commission.

We have reviewed the report and have also obtained advice from the Commodity Futures Trading Commission concerning any possible conflict in light of the Commission's functions and the nominee's proposed duties. The Commission has advised this Office that Mr. West intends to dispose of his interest in Minerals and Resources Company upon confirmation. Based thereon, we believe that Mr. West is in compliance with applicable laws and regulations governing conflicts of interest.

Sincerely,

David R. Scott by L.D.
David R. Scott
Acting Director

Enclosure

FINANCIAL DISCLOSURE REPORT

JL

Page 1

Filing Status (Check Appropriate Box)

☐ Incumbent ☒ New Entrant, Nominee or Candidate ☐ Termination Report

NOTE All schedules must be filled. Enter "None" in items or across schedules where appropriate.

Agency Use Only	OGE Use Only
Date of Filing (Month, Day, Year): 6/15/82	SEP 17 [illegible]

	Last Name	First Name and Middle Initial	Date of Appointment, Candidacy, Election or Nomination (Mo., Day, Yr.)	Termination Date (If Applicable) (Month, Day, Year)
Reporting Individual's Name	WEST	FOWLER C.		
Position for Which Filing	Title of Position: Commissioner	Department or Agency (If Applicable): Commodity Futures Trading Commission		
Location of Present Office	Address (Number, Street, City, State and Zip Code): 1301 Longworth House Office Building, Washington, D.C. 20515		Room Number: 1301	Telephone No. (Include Area Code): (202) 225-2171

Presidential Nominees Subject to Senate Confirmation	Name of Congressional Committee Considering Nomination: Committee on Agriculture, Nutrition & Forestry	Do You Intend to Create a Qualified Diversified Trust? ☐ Yes ☒ No

Position(s) Held With the Federal Government During the Preceding 12 Months (If Not Same as Above)	Title of Position(s) and Date(s) Held: Staff Director, April 1973 - February 1982, House Agriculture Committee; Legislative Assistant, February 1982 - Present, House Agriculture Committee

Certification	Signature of Reporting Individual	Date (Month, Day, Year)
I CERTIFY that the statements I have made on this form and all attached schedules are true, complete and correct to the best of my knowledge.	Fowler C. West	June 4, 1982

Agency Ethics Official's Opinion	Signature of Designated Agency Ethics Official Reviewing Official	Date (Month, Day, Year)
The information contained in this report discloses no conflict of interest under applicable laws and regulations.	Frances A Buttiers	9-17-82
Office of Government Ethics Use Only	Signature: David K. Scott by S.D.	Date (Month, Day, Year): 9-20-82

9/20/82 ajd

Comments of Reviewing Officials (If additional space is required, use the reverse side of this sheet)

(Check box if comments are continued on the reverse side) ☐

Public burden of SF 278 is [illegible]

278-101

NSN 7540-01-070-6444

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INTERESTS IN PROPERTY

Page Number — | Schedule A

Reporting Individual's Name

Date of Filing (Month, Day, Year)

	Identification	Income												Interests in Property								
						Category of Amount or Value (✓)									Valuation of Assets (✓)							
					Other (Specify)	None (or less than $201)	$201-$1,000	$1,001-$2,500	$2,501-$5,000	$5,001-$15,000	$15,001-$50,000	$50,001-$100,000	Over $100,000	Actual Amount Only if Other Specified	Date (Mo. Day, Yr.) Only if Honoraria		None (or less than $1,000)	$1,001-$15,000	$15,001-$50,000	$50,001-$100,000	$100,001-$250,000	Over $250,000
	Treasury Bill		X				X								H			X				(matures on 6/17/82; will not reinvest)
S	Savannah Bank & Trust	X					X								H		X					
S	Kemper Technology Fund	X					X								H		X					
	Oppenheimer Special Fund	X					X								H		X					
S	First National Bank Valdosta, Georgia	X					X								H		X					
	One-half interest in house at 2324 Bosque Blvd., Waco, TX					X									A			X				
	Paine Webber Cash Fund	X				X									H			X				
	Minerals and Resources (Congressional) Federal Civil Service Retirement					X									H				X			

PURCHASES, SALES, AND EXCHANGES

This schedule is applicable only in the case of annual and termination reports.

Page Number	2	[illegible] 6

Reporting Individual's Name:
FOWLER C. WEST

Agency Use Only

Date of Filing (Month, Day, Year)

Report Applicable Transactions, Even if Also Reported on Schedule A

S or DC	Identification of Property (real and personal)	Type of Transaction			Date (Month, Day, Year)		Category of Amount or Value ( )					
		Purchase	Sale	Exchange	Purchase	Sale or Exchange	$1,001 to $5,000	$5,001 to $15,000	$15,001 to $50,000	$50,001 to $100,000	$100,001 to $250,000	Over $250,000
	NOT APPLICABLE											

GIFTS AND REIMBURSEMENTS

This schedule is applicable only in the case of annual and termination reports.

Page Number	3	Schedule C
Reporting Individual's Name: FOWLER C. WEST		
Agency Use Only		
Date of Filing (Month, Day, Year)		

I. Lodging, Transportation, Food and Entertainment—*List each source totaling $250 or more in value*

Sort	Source (Name and Address)	Brief Description	Value
	NOT APPLICABLE		

II. All Other Gifts—*List each source totaling $100 or more in value*

Sort	Source (Name and Address)	Brief Description	Value
	NOT APPLICABLE		

III. Reimbursements—*List each source totaling $250 or more in value*

Sort	Source (Name and Address)	Brief Description	Value
	NOT APPLICABLE		

SF 278 - Executive Personnel Financial Disclosure Report (Rev. 6-91)

This schedule, except as noted for the third section, is applicable in the case of all reporting individuals.

Reporting Individual's Name	Agency Use Only	Page Number		Schedule
FOWLER C. WEST	Date of Filing (Month, Day, Year)		4	D

LIABILITIES

S or DC	Name and Address of Creditor	Type of Liability (e.g., promissory note, margin account) Give date, interest rate and, if applicable, term	Category of Amount or Value (✓) $10,001 to $15,000	$15,001 to $50,000	$50,001 to $100,000	$100,001 to $250,000	Over $250,000
	NONE						

POSITIONS HELD

Name and Address of Organization	Type of Organization	Position Held	From (Mo., Yr.)	To (Mo., Yr.)
House Committee on Agriculture, 1301 Longworth Building Washington, D.C.	Committee of Congress	Staff Director	April 73	Feb. 82
House Committee on Agriculture, 1301 Longworth Building Washington, D.C.	Committee of Congress	Legislative Assistant	Feb. 82	Present

COMPENSATION IN EXCESS OF $5,000 PAID BY ONE SOURCE

This section is applicable only in the case of nominees and new entrants.

Source (Name and Address)	Brief Description of Duties
NONE	

RELATIONS WITH OTHER EMPLOYERS

Description of Terms of Any Agreement or Arrangement	Parties	Date (Mo., Day, Yr.)
(Congressional) Federal Civil Service Retirement FCWS		

[Written questions from Senator Helms and Mr. West's answers thereto:]

Question. Have you formed an opinion as to what the CFTC's regulatory role should be? If so, would you share it with us?

Answer. My opinion on regulation by the CFTC or any other governmental body could be summed up as "the less regulating the better, so long as there is no threat to the public interest." The marketplace should be permitted to work without needless harassment from the CFTC. By and large the futures trading industry is composed of able people of integrity. Energy spent by the CFTC should be directed to trouble spots where the public is threatened by those who fail to play within the rules. I am excited that the National Futures Association is getting underway soon. It is a form of self-regulation and will eventually free the CFTC to concentrate on those who need to be regulated.

Question. Explain how your background and experience has prepared you for the role you will play as a CFTC Commissioner if you are confirmed by the Senate?

Answer. During the early years of my life, I lived in a farming area near Waco in Central Texas. I did a great deal of work on farms in that area, becoming personally familiar with the problems facing farmers then and now. I came to Washington directly from Baylor University to work with Congressman W. R. "Bob" Poage. Nobody, in my view, worked so long and hard to help farmers as did Mr. Poage. In addition to Mr. Poage, I have worked, as a member of the House Agriculture Committee staff, under three other Chairmen, the Honorable Harold D. Cooley, the Honorable Thomas S. Foley, and the Honorable E (Kika) de la Garza. The CFTC came into being through legislation drafted in the House and Senate Agriculture Committees. It is a true creature of the Congress. As a staff member of the House Agriculture Committee, I had an opportunity to work on the legislation and observe the legislative progress of the CFTC from the 1974 Act which created the agency.

If approved by the Senate, my agricultural background, coupled with my work on the amendments to the Commodity Exchange Act and my knowledge of the legislative process, I feel, qualify me to serve on the Commission as one who will be especially interested in ways to encourage farmers and agribusiness to use the futures market to manage risks.

I can assure you, Mr. Chairman, that I have a tremendous respect for the role the Congress has played in establishing and guiding the CFTC.

Question. One of the issues which this Committee dealt with during the markup of the Futures Trading Act of 1982 was the proposed regulatory role of the National Futures Association (NFA). What regulatory role do you see the NFA playing?

Answer. I foresee the National Futures Association taking over many of the routine, but vital, regulatory duties now done by the CFTC. These would include functions of registration, auditing, and settlement of as many claims as possible through arbitration. Since the CFTC is a small agency, and I hope it will remain small as agencies go, these duties have taxed the limited resources of the CFTC.

Once the NFA moves into these areas, it will allow the CFTC to devote more personnel and funds to such areas as enforcement, contract evaluation and approval, and anti-fraud activities. NFA will be a self-policing body. I am convinced the industry wants to protect its integrity and the NFA is an excellent tool to do exactly that.

[Written questions from Senator Hayakawa and Mr. West's answers thereto:]

Question. What is your opinion of the rate of approval of new contracts by the CFTC—are approvals made too quickly, or not quickly enough?

Answer. Clearly the rate of approval of new contracts has increased. I am told that during the last year some twenty-five new contracts have been approved. However, it should be kept in mind that up until that time there was a large backlog of contract applications. Chairman Phil Johnson has led the Commission in reducing this backlog.

I am not as concerned about the rate of approval as I am the evaluation given the contract application by the CFTC. From what I have observed it appears that the agency carefully reviews the contract to assure that the public interest is protected and that the contract will serve a legitimate business function.

I feel that some applications will require more or less time than others for proper evaluation by the CFTC.

Question. In the process of approving new contracts, do you think the CFTC is sufficiently protecting the public interest?

Answer. Of course, I am not now involved in the approval process and can only evaluate the action of the CFTC from the outside. I am impressed that the CFTC is

doing its best to protect the public in the contract approval process. If confirmed, I will be in a much better position to make this judgment. Some of the contracts likely will be more successful than others. The market will determine which succeed and which fail. I am pleased that the CFTC has recently adopted rules governing the trading on the lesser utilized contracts to assure that the public interest is protected and that they serve a legitimate business role.

Question. What is your opinion of the trading of stock index futures? To me, it seems like trading of such contracts simply allows speculators to hedge on their speculating. Do you think that trading such futures is in the interest of the public, and why, or why not?

Answer. Stock index futures are new and are hard to comprehend. However, from what I have read in the financial media and learned through conversations with people at the CFTC and the exchanges, stock index futures are being used for business hedging purposes.

They are used to protect investments in stock. I am advised that three stock index futures now trading are doing well and there are other pending applications. The mere number of stock index future contracts does not concern me. I feel the market will turn to a small number eventually; and this is what should happen. The CFTC must make every effort to see that the contracts are not contrary to the public interest. Once this is determined, then the market should determine which succeed and which fail.

Surely any stock index futures contract which would be used only for pure speculative puroposes, benefiting only speculators, should never gain CFTC approval. In the House passed CFTC reauthorization bill, H.R. 5447, there is a provision for a study to determine the impact of stock index futures on capital formation. Such a study would be helpful in determining the impact of stock index futures on the economy.

[Written questions from Senator Huddleston and Mr. West's answers thereto:]

Question. How do you envision the National Futures Association working together with the Commodity Futures Trading Commission in regulating the futures industry?

Answer. The NFA will assume many regulatory functions that are routine, but important. These include registration activities, including background checks, auditing, and the settlement of claims through arbitration.

My observation is that the NFA is eager to show Congress and the CFTC that it can do a self-policing job that, heretofore, has placed a strain on the CFTC's personnel and financial resources. This will free the CFTC to regulate where regulation is truly needed. For instance, I feel the CFTC should devote itself to areas such as fraud and contract evaluation where the public interest is truly at stake.

The CFTC should develop a close working relationship with the NFA and should act where serious problems emerge, but I do not foresee many such problems. The NFA, in my view, can perform a vital service for the industry and the CFTC. I see a future partnership of mutual benefit.

Question. What effect, if any, do you think the activities of the National Futures Association will have on the CFTC's regulatory workload?

Answer. I feel the NFA will reduce the workload of the CFTC so far as routine regulatory duties are concerned. However, this slack will be more than taken up by increased CFTC activities in such critical areas as enforcement, anti-fraud actions, and contract review—matters that involve the public interest.

Question. The law provides that new futures contracts can be approved only if they are not contrary to the public interest. In recent years, futures contract markets have developed, and have submitted to CFTC for approval, a wide variety of new futures contracts. The markets are also beginning to develop options contracts. So, it is safe to say that CFTC will receive many requests for approval of new contracts during your term. What will you be looking for in proposed contracts to judge whether they meet the public interest test?

Answer. I feel new contracts should serve as legitimate business tools. No contract should be approved which would serve only as speculative devices.

I feel contracts should not be unduly risky to the public in general, recognizing, of course, that all futures contracts involve some risk.

To approve contracts that lack business tool credentials is to invite attacks on the integrity of the futures industry. This we cannot afford.

Question. Do you believe that the futures industry can better serve the interests of the nation's farmers and ranchers?

Answer. Yes, Senator. I have carefully followed the work of the first agricultural producer to be appointed to the CFTC, Commissioner Heineman.

I agree with him that there is a great need for more educational programs on futures trading for farmers and agribusiness in general. I think rural bankers need to learn more about futures trading because they are often partners with the farmer in hedging ventures. Bankers need to know what constitutes hedging as opposed to speculating. They need to be able to properly advise their farmer customers in using the futures market as a risk management tool.

I think the extension service and farm organizations can be excellent channels to bring futures education programs to farmers, bankers and agribusiness interests.

If confirmed, I would hope to become involved in finding ways to better serve the interests of farmers and ranchers through the futures market.

Question. What steps should the Commodity Futures Trading Commission take, in regulating the futures industry, to ensure that the interests of farmers are protected?

Answer. I feel that every effort should be made to establish the best possible communication links between the CFTC and farmers to insure that farmers are aware of how they might utilize the futures market to manage their risks. Farmers should also be aware of any regulatory actions which could effect them such as a change in delivery points. Perhaps the liaison between the CFTC and the Department of Agriculture could be strengthened so that the USDA's information network could be used for this purpose.

Should the ban on agricultural options be removed, as contemplated in H.R. 5447, care should be taken to advise farmers of the new tools that might be available to them through the use of options trading.

The CFTC also should enlist the help of farm organizations and rural bankers in communicating with farmers about how regulatory actions impact on farmers.

The drafters of the 1974 law creating the CFTC envisioned close cooperation between USDA and the CFTC. This fact should not be overlooked. The CFTC has an obligation to approach the regulation of agricultural commodity contract trading with the interest of farmers in mind. That was the clear intent of the Congress.

NATIONAL PORK PRODUCERS COUNCIL,
Des Moines, Iowa, September 27, 1982.

Hon. JESSE HELMS,
Chairman, Committee on Agriculture, Nutrition, and Forestry,
Russell Senate Office Building, Washington, D.C.

DEAR MR. CHAIRMAN: It is my understanding that your committee will be holding a hearing next week on the nomination of Mr. Fowler C. West to be a Commissioner of the Commodity Futures Trading Commission.

Our industry, which is directly impacted by the futures markets, has keen interest in this important position. The National Pork Producers Council supports Mr. West's nomination and feel that his experience in the drafting of the enabling legislation and subsequent oversight of the progress of the Commission provides him with a valuable and unique understanding of the role and the goals of the agency. Additionally, his knowledge and support of agriculture will serve to assure that the agricultural related contracts receive the attention they need and that producer interests will be considered at the Commission.

We urge your Committee's prompt and favorable consideration of this nomination and request that this correspondence be made a part of the permanent hearing record on Mr. West's nomination.

Sincerely,

ORVILLE SWEET,
Executive Vice President.

AMERICAN COTTON SHIPPERS ASSOCIATION,
September 28, 1982.

Hon. JESSE A. HELMS,
Chairman, Committee on Agriculture, Nutrition, and Forestry,
Russell Senate Office Building, Washington, D.C.

DEAR CHAIRMAN HELMS: The members of the American Cotton Shippers Association wish to express to you and the members of the Committee on Agriculture, Nutrition, and Forestry our support for the confirmation of Mr. Fowler West as a member of the Commodity Futures Trading Commission.

Over the past 15 years the Association through its officers and staff have had extensive contacts with Mr. West in his capacity as a staff member in the office of Representative W. R. Poage (D-Tex), and during his tenure as a Staff Member and Staff Director of the House Committee on Agriculture serving Chairmen Poage, Thomas S. Foley (D-Wash), and Eligio de la Garza (D-Tex).

In dealing with numerous divisive and complicated issues he has always demonstrated true impartiality, a great capacity for work, and a total commitment, often at great personal sacrifice, to all facets of agriculture, in particular the problems of the American farmer. His special qualifications uniquely qualify him to serve on the Commodity Futures Trading Commission.

Respectfully submitted,

NEAL P. GILLEN,
Vice President and General Counsel.

NATIONAL CATTLEMEN'S ASSOCIATION,
Washington, D.C., September 28, 1982.

Hon. JESSE A. HELMS,
Chairman, Senate Agriculture, Nutrition and Forestry Committee,
Russell Senate Office Building, Washington, D.C.

DEAR SENATOR HELMS: The National Cattlemen's Association supports the White House nomination of Fowler West as a commissioner to the Commodity Futures Trading Commission.

It has been our pleasure to become acquainted with Mr. West while he served as staff director to the House Agricultural Committee. We have found him to be thorough, objective and professional in his work.

Mr. West has a broad exposure and understanding of agricultural problems and concerns. His past experience will augment your Committee's interest in having persons familiar with agriculture on the CFTC. Also, his demonstrated knowledge about the futures industry and the legislative process will make a valuable addition to the Commission.

We urge your support to confirm his appointment.

Respectfully yours,

JOHN DEKOCK,
Chairman, Marketing Committee.

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